

## AMENDMENTS TO THE CLAIMS

This listing of claims will replace all prior versions, and listings, of claims in the application:

### **Listing of Claims:**

1. (Currently Amended) A stable multiphase emulsion composition, comprising:
  - A.) a continuous phase, comprising:
    - i.) an emulsifying crosslinked siloxane elastomer; and
    - ii.) a solvent for the emulsifying crosslinked siloxane elastomer;
  - B.) at least one discontinuous phase, comprising:
    - i.) solid particles

wherein the discontinuous phase has a droplet size distribution range of from about 0.1 microns to about 100 microns, and wherein at least 10% of the droplets are greater than 40 microns and at least 10% of the droplets are greater than 60 microns, and wherein the particles are uniformly distributed on the skin independent of skin topography.
2. (Previously Presented) The cosmetic composition of Claim 1 wherein said composition further comprises a skin conditioning agent selected from the group consisting of exfoliants, emollients and mixtures thereof.
3. (Previously Presented) The cosmetic composition of Claim 1 wherein said discontinuous phase is selected from the group consisting of polyhydric alcohol, water and mixtures thereof.
4. (Original) The cosmetic composition of Claim 3 wherein said polyhydric alcohol is selected from the group consisting of propylene glycol, dipropylene glycol, polypropylene glycol, polyethylene glycol, sorbitol, hydroxypropyl sorbitol, hexylene glycol, glycerin, 1,3-butylene glycol, 1,2,6-hexanetriol, ethoxylated glycerin, propoxylated glycerin and mixtures thereof.

5. (Original) The cosmetic composition of Claim 1 wherein said composition further comprises an emulsifier.
6. (Original) The cosmetic composition of Claim 5 wherein said emulsifier is polyoxyalkylene copolymer.
7. (Original) The cosmetic composition of Claim 6 wherein said polyoxyalkylene copolymer is dimethicone copolyol.
8. (Original) The cosmetic composition of Claim 1 wherein said solid is selected from the group consisting of inorganic solid particles, organic solid particles and mixtures thereof.
9. (Previously Presented) The cosmetic composition of Claim 8 wherein said solid particle is selected from the group consisting of gums, chalk, Fuller's earth, talc, kaolin, iron oxide, mica, sericite, muscovite, phlogopite, synthetic mica, lepidolite, biotite, lithia mica, vermiculite, magnesium carbonate, calcium carbonate, aluminum silicate, starch, smectite clays, alkyl and/or trialkyl aryl ammonium smectites, chemically modified magnesium aluminum silicate, organically modified montmorillonite clay, hydrated aluminum silicate, fumed silica, aluminum starch, octenyl succinate barium silicate, calcium silicate, magnesium silicate, strontium silicate, metal tungstate, magnesium, silica alumina, zeolite, barium sulfate, calcined calcium sulfate, calcium phosphate, fluorine apatite, hydroxyapatite, ceramic powder, metallic soap, colloidal silicone dioxide, boron nitride; polyamide resin powder, cyclodextrin, polyethylene powder, methyl polymethacrylate powder, polystyrene powder, copolymer powder of styrene and acrylic acid, benzoguanamine resin powder, poly(ethylene tetrafluoride) powder, carboxyvinyl polymer, cellulose powder, ethylene glycol monostearate, titanium dioxide, zinc oxide, magnesium oxide, interference pigments, and mixtures thereof.

10. (Original) The cosmetic composition of Claim 1 wherein said composition further comprises a preservative.
11. (Previously Presented) The cosmetic composition of Claim 10 wherein said preservative is selected from the group consisting of disodium EDTA, phenoxyethanol, methyl paraben, propyl paraben, imidazolidinyl urea, sodium dehydroacetate, para-hydroxybenzoic acid, hydantoin, propionate salts, quaternary ammonium compounds, benzyl alcohol, and mixtures thereof.
12. (Original) The cosmetic composition of Claim 1 wherein said composition further comprises fillers.
13. (Original) The cosmetic composition of Claim 1 wherein said composition is in the form of a foundation, mascara, concealer, eye liner, brow color, eye shadow, blusher, lip cream, lip gloss, lip paint or lipstick.
14. (Canceled)